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EXPRESS MAIL  
Article Number EE872041094US

March 29, 1999

Office of the Secretary  
Federal Communications Commission  
445 12th Street, S.W., TW-A325  
Washington, DC 20554

RE: MM Docket No. 99-9, RM-9434  
Proposed Allotment, Channel 229A  
Lancaster, NH

Dear Sir:

Enclosed please find an original and four copies of the "Reply Comments" which North Country Radio, Inc. submits concerning the above-named proposed rulemaking.

North Country Radio also encloses a "Certificate of Service", testifying service on the petitioner, Dana J. Puopolo of Rehobeth, MA, and on Barry P. Lunderville of Lancaster, NH, who submitted Comments on the proceeding.

In the event that you require any additional information, I may be reached at (603) 447-5988.

Sincerely,



Charles E. Osgood  
Vice-President

enc.

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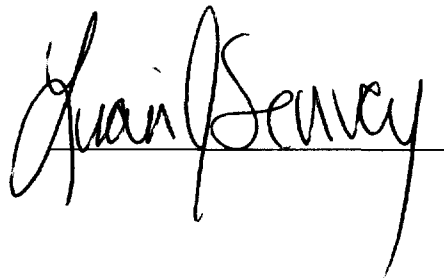
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CERTIFICATE OF SERVICE

I, Lucia J. Seavey, Office Manager of North Country Radio, Inc., do hereby certify that a true copy of the foregoing "Reply Comments" by North Country Radio regarding MM Docket No. 99-9, RM-9434 was sent this 29th day of March, 1999 by first-class United States mail, postage prepaid, to the following:

Mr. Dana J. Puopolo  
37 Martin St.  
Rehobeth, MA 02769-2103

Mr. Barry P. Lunderville  
20 Middle St.  
Lancaster, NH 03584

A handwritten signature in cursive script, appearing to read 'Lucia J. Seavey', written over a horizontal line.

Before The  
Federal Communications Commission  
Washington, DC 20554

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In the matter of )

)  
)  
)  
Amendment of Section 73.202(b) )  
Table of Allotments, )  
FM Broadcast Stations. )  
(Lancaster, NH) )

MM Docket 99-9  
RM-9434

REPLY COMMENTS

To the Chief, Allocations Branch:

1. North Country Radio, Inc. herein submits its Reply Comments in the above-referenced proceeding.
2. In Comments on the proceeding, there were two Counterproposals. Barry P. Lunderville asked that the Commission allot FM Channel 229A to Milan, New Hampshire, as that community's first local service. North Country Radio asked that the Commission allot FM Channel 229A to Groveton, New Hampshire as that community's first local service.
3. As pointed out in the Counterproposals, Milan is a community of 1295 persons (1990 census) and Groveton is a community of 1255 persons (1990 census). Therefore, since the difference in population between the two communities is only 40 persons (3 percent), the size of the two communities is essentially the same.
4. Attached is an engineering statement by the firm of R. M. Smith Associates, Broadcast Technical Consultants. The firm examined the proposed allotments for Channel 229A.
5. The statement examines the size of the population which would be served by the counterproposed facilities at Milan and at Groveton. A full class A facility at the proposed coordinates of N44-37-07, W71-16-51 at Milan would serve 22,093 persons (1990 census). A full class A facility at the proposed coordinates of N44-33-55, W71-37-48 at Groveton would serve 21,632 persons (1990 census). Therefore, since

the difference in service is only 461 persons (2 percent), the size of the population covered by the two counterproposed facilities is essentially the same.

6. The statement examines the number of stations presently serving the communities of Milan and Groveton. Milan receives primary coverage from five licensed stations, including: WHOM (FM), WLOB-FM, WMOU (AM), WPKQ (FM), and WXLQ (FM). In contrast, Groveton receives primary coverage from only four licensed facilities: WHOM (FM), WLOB-FM, WPKQ (FM), and WXXS (FM). Therefore, under the Commission's allotments policy, Milan is already adequately served and, under the Commission's allotments policy, Groveton is not adequately served.

7. Hence, since allotting Channel 229A to Groveton would provide service to an underserved community, to comply with the Commission's allotment policy, Channel 229A should be allotted to Groveton.

8. Notwithstanding the above, the statement determines that there exists a channel other than Channel 229A that the Commission could allot to Milan. Channel 268A could be allotted to Milan at the Lunderville proposed allotment site in full compliance with the Commission's spacing requirements. In contrast, there is no Channel other than Channel 229A that may be allotted to Groveton in full compliance with the Commission's spacing requirements.

9. The statement also shows that if Channel 268A were allotted to Milan at the Lunderville site, it would meet all United States spacing requirements and would create a single relatively minor (4.5 km) shortage to a Canadian allocation on Channel 269A at Lac-Megantic, Quebec. However, allotting Channel 229A to Milan would create a much more significant (79.2 km) short-spacing to a co-channel Canadian allocation at East Angus, Quebec, Channel 229A. Hence, the statement demonstrates that Channel 229A is an inherently inferior allocation for Milan compared to Channel 268A.

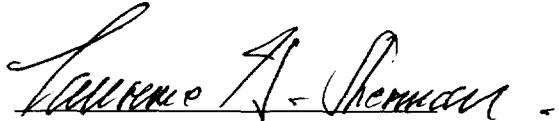
10. In view of the preceeding analysis, North Country Radio submits that the public interest, convenience and necessity would be served if the Commission were to deny the Lunderville Counterproposal to allot FM Channel 229A to Milan, and respectfully requests that the Commission instead approve the North Country Radio Counterproposal to allot Channel 229A to Groveton as its first local service.

10. North Country Radio, Inc. reaffirms that, if the Commission allots Channel 229A to Groveton, it will submit an application to apply for a construction permit for the channel and, if granted, will promptly construct and operate the station.

I hereby certify that all the data and information contained in these Reply Comments is true and correct to the best of my knowledge and belief.

Respectfully submitted,

NORTH COUNTRY RADIO, INC.

BY: 

Lawrence H. Sherman

Its President

North Country Radio, Inc.  
P. O. Box 2008  
Conway, NH 03818

March 29, 1999

**R. M. SMITH ASSOCIATES**

BROADCAST TECHNICAL CONSULTANTS  
8 DEER RUN ROAD WINDHAM, NEW HAMPSHIRE 03087  
(603) 894-6968 FAX (603) 894-5546  
E-MAIL rmsmith@ma.ultranet.com

**ENGINEERING STATEMENT**

**IN SUPPORT OF**

**REPLY COMMENTS**

**FILED BY**

**NORTH COUNTRY RADIO, INC.**

**ON A**

**PETITION FOR RULEMAKING**

**MASS MEDIA DOCKET NO. 99-9 - RM-9434**

Prepared by:

R.M. Smith Associates

Windham, NH

March 29, 1999

## **PURPOSE AND SCOPE**

The Reply Comments by North Country Radio, Inc. ("NCR"), of which this Statement is a part, requests that the Federal Communications Commission deny the Counter Proposal by Barry P. Lunderville to allot Channel 229A to Milan, NH and instead allot Channel 229A to Groveton, NH as proposed in NCR's Comments and Counterproposal.

## **POPULATION COVERAGE**

An analysis of the calculated coverage areas (60 dBu F(50,50)) from a full Class A facility at the two counterproposed allotment sites reveals that the population covered by the two facilities is nearly identical. The allotment at Groveton would serve a total population of 21,632. The allotment at Milan would serve a total population of 22,093.

## **PRESENT SERVICES**

At the present time, Groveton receives primary coverage from only four aural facilities. WHOM(FM), WPKQ(FM), WLOB-FM and WXXS(FM) place a calculated 60 dBu signal over the center of Groveton. WHOM(FM), WPKQ(FM), WLOB-FM and WXLQ(FM) as well as WMOU(AM) place calculated primary coverage over Milan. Under the Commission's allotment standards Groveton is an underserved community while Milan is adequately served.

## **ALTERNATIVE CHANNEL AT MILAN**

An alternative allotment to Channel 229A is available for Milan, NH. As shown on the included spacing study, Channel 268A can be allotted to Milan at the Lunderville coordinates in full compliance with the Commission's spacing requirements to existing and proposed U.S. facilities. Such an allotment would be short-spaced by 4.5 km to an unused first adjacent allocation at Lac-Megantic, Qu. The 229A allotment at Milan would be

short-spaced by 79.2 km to an unused co-channel allocation at East Angus, QU. Channel 268A is a superior allotment to Channel 229A at Milan, NH.

**CERTIFICATION**

I, Robert M. Smith Jr., of Windham, NH, do hereby certify that all of the statements and data contained in this Statement are true and correct to the best of my knowledge and belief. I further state that I am an experienced and qualified broadcast engineer, and that my qualifications are a matter of record with the Federal Communications Commission.

A handwritten signature in black ink, appearing to read "Robert M. Smith Jr.", is written over a horizontal line.

Robert M. Smith Jr.



FM SPACING STUDY

Title: Channel 229A at Milan, NH (Lunderville)

Channel Studied: 229  
Safety Zone (km): 50

Latitude: 44-37-07  
Longitude: 071-16-51

| Chan<br>Freq<br>Auth. | City<br>Licensee<br>FCC File No.                          | St Call  | ERP-kW<br>EAH-m | Latitude<br>Longitude | Dist<br>Br-To  | Required<br>Clearance<br>Result |
|-----------------------|---|----------|-----------------|-----------------------|----------------|---------------------------------|
| 227A<br>93.3          | Coaticook<br>-  | QU ALLOC |                 | 45- 3-12<br>71-42- 6  | 58.7<br>325.4  | 62<br>-3.3<br>SHORT             |
| 228C3<br>93.5<br>USED | Fairfield<br>-  | ME ALLOC |                 | 44-45- 0<br>69-41-15  | 127.2<br>83.4  | 89<br>38.2<br>CLEAR             |
| 228C3<br>93.5<br>CP M | Fairfield<br>Mountain Wireless, Inc.<br>BMPH-920507IE     | ME WCTB  | 10.5<br>152     | 44-44-42<br>69-41-32  | 126.7<br>83.6  | 89<br>37.7<br>CLEAR             |
| 228A<br>93.5<br>USED  | Conway<br>-   | NH ALLOC |                 | 43-56-48<br>71- 8-24  | 75.5<br>171.4  | 72<br>3.5<br>CLOSE              |
| 228C1<br>93.5         | Montreal<br>-   | QU CBMFM | 24.5<br>251     | 45-30-20<br>73-35-32  | 207.0<br>298.4 | 181<br>26.0<br>CLEAR            |
| 228A<br>93.5<br>LIC   | Conway<br>North County Acquisition Corp.<br>BMLH-930419KA | NH WMWV  | 1.85<br>129     | 43-56-48<br>71- 8-24  | 75.5<br>171.4  | 72<br>3.5<br>CLOSE              |
| 229A<br>93.7<br>ADD   | Lancaster<br>Dana Puopolo<br>RM-9434                      | NH PRM   |                 | 44-33-55<br>71-37-48  | 28.4<br>257.9  | 115<br>-86.7<br>SHORT           |
| 229B<br>93.7<br>USED  | Lawrence<br>-   | MA ALLOC |                 | 42-40-26<br>71-11-26  | 216.2<br>178.1 | 178<br>38.2<br>CLEAR            |
| 229A<br>93.7          | East-Angus<br>-   | QU ALLOC |                 | 45-29- 0<br>71-40- 0  | 100.8<br>342.4 | 180<br>-79.2<br>SHORT           |
| 229C3<br>93.7<br>VACA | Addison<br>-  | VT ALLOC |                 | 44- 2-30<br>73-28- 0  | 185.8<br>249.8 | 142<br>43.8<br>CLEAR            |
| 229A<br>93.7<br>APP   | Addison<br>John A. Bulmer<br>BMPH-981214IC                | VT WWFY  | 6.0<br>88       | 44- 1-34<br>73- 9-44  | 163.9<br>246.3 | 115<br>48.9<br>CLEAR            |

FM SPACING STUDY

Title: Channel 229A at Milan, NH (Lunderville)

Channel Studied: 229  
Safety Zone (km): 50

Latitude: 44-37-07  
Longitude: 071-16-51

| Chan<br>Freq<br>Auth.    | City<br>Licensee<br>FCC File No.                                  | St Call  | ERP-kW<br>EAH-m                | Latitude<br>Longitude | Dist<br>Br-To  | Required<br>Clearance<br>Result |
|--------------------------|---|----------|--------------------------------|-----------------------|----------------|---------------------------------|
| 230A<br>93.9<br>LIC      | Morrisville<br>Radio Vermont, Inc.<br>BLH-930907KB                | VT WLVB  | 5.4<br>37                      | 44-34-42<br>72-38- 9  | 107.7<br>267.6 | 72<br>35.7<br>CLEAR             |
| 230A<br>93.9<br>USED     | Morrisville<br>-  | VT ALLOC |                                | 44-33-42<br>72-36-18  | 105.3<br>266.5 | 72<br>33.3<br>CLEAR             |
| 230B<br>93.9<br>USED     | Lewiston<br>-   | ME ALLOC |                                | 44- 8-40<br>70- 1-22  | 113.3<br>117.7 | 113<br>.3<br>CLOSE              |
| 230B<br>93.9<br>LIC      | Lewiston<br>Fuller-Jeffrey B/cing Corp./Great St<br>BMLH-850513KO | ME WCYI  | 27.5<br>193                    | 44- 8-40<br>70- 1-22  | 113.3<br>117.7 | 113<br>.3<br>CLOSE              |
| 231C3<br>94.1<br>USED    | Canaan<br>-   | VT ALLOC |                                | 45- 1-20<br>71-25- 5  | 46.1<br>346.4  | 42<br>4.1<br>CLOSE              |
| 231C3<br>94.1<br>CP M-DA | Canaan<br>Vector Broadcasting, Inc.<br>BMPH-900806IG              | VT WXXM  | 16.0<br>118<br>73.215 Utilized | 44-58-40<br>71-44-13  | 53.8<br>317.9  | 42<br>11.8<br>CLEAR             |

FM SPACING STUDY

Title: Channel 268A at Milan, NH

Channel Studied: 268  
Safety Zone (km): 50

Latitude: 44-37-07  
Longitude: 071-16-51

| Chan<br>Freq<br>Auth. | City<br>Licensee<br>FCC File No.                               | St Call   | ERP-kW<br>EAH-m | Latitude<br>Longitude | Dist<br>Br-To  | Required<br>Clearance<br>Result |
|-----------------------|--|-----------|-----------------|-----------------------|----------------|---------------------------------|
| 266B<br>101.1         | Sherbrooke<br>-  | QU CBF10F | 35.0<br>173     | 45-23-48<br>71-49-54  | 96.8<br>333.3  | 84<br>12.8<br>CLEAR             |
| 267B<br>101.3<br>USED | Augusta<br>-   | ME ALLOC  |                 | 44-18-51<br>69-50- 3  | 120.0<br>106.4 | 113<br>7.0<br>CLOSE             |
| 267A<br>101.3<br>USED | Haverhill<br>-   | NH ALLOC  |                 | 44- 3- 1<br>72- 4-59  | 89.9<br>225.4  | 72<br>17.9<br>CLEAR             |
| 267B<br>101.3<br>LIC  | Augusta<br>Tryon-Seacoast Communications, Inc.<br>BLH-820726AP | ME WKCG   | 50.0<br>98      | 44-18-51<br>69-50- 3  | 120.0<br>106.4 | 113<br>7.0<br>CLOSE             |
| 267A<br>101.3<br>LIC  | Haverhill<br>Puffer Broadcasting, Inc.<br>BLH-900226KC         | NH WYKRFM | 3.0<br>12       | 44- 6-49<br>71-58-54  | 79.2<br>224.9  | 72<br>7.2<br>CLOSE              |
| 268A<br>101.5<br>LIC  | Meredith<br>WLNH Radio, Inc.<br>BLH-940309KB                   | NH WBHG   | 6.0<br>100      | 43-35-46<br>71-29-55  | 114.9<br>188.7 | 115<br>-1<br>SHORT              |
| 268A<br>101.5<br>USED | Meredith<br>-  | NH ALLOC  |                 | 43-39-27<br>71-30- 3  | 108.2<br>189.4 | 115<br>-6.8<br>SHORT            |
| 268A<br>101.5         | Montreal<br>-  | QU ALLOC  |                 | 45-33-30<br>73-33-20  | 207.3<br>300.2 | 180<br>27.3<br>CLEAR            |
| 269A<br>101.7<br>USED | Stowe<br>-   | VT ALLOC  |                 | 44-30-11<br>72-41-35  | 112.9<br>263.5 | 72<br>40.9<br>CLEAR             |
| 269A<br>101.7         | Lac-Megantic<br>-  | QU ALLOC  |                 | 45-31-49<br>70-47-20  | 108.5<br>20.9  | 113<br>-4.5<br>SHORT            |